

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

-----X
DISH NETWORK L.L.C.

Plaintiff,

v.

GOYAL GROUP INC. and CHANDRA
GOYAL d/b/a Goyal Group, RANA
TECHNOLOGY INC. and MOHAMMAD
RANA d/b/a Family Phone, ABC 1 NYC
INC. and SONAM SANGPO d/b/a ABC
Wireless NYC,

Defendants.
-----X

Case No. 18-cv-3857

**DECLARATION IN SUPPORT OF
REQUEST FOR CERTIFICATE OF
DEFAULT AGAINST RANA
TECHNOLOGY INC. AND
MOHAMMAD RANA**

I, Stephen M. Ferguson, declare as follows:

1. I am an attorney with the firm of Hagan Noll & Boyle LLC, and licensed to practice law in Texas. I am admitted *pro hac vice* for purposes of representing Plaintiff DISH Network L.L.C. (“DISH”) in this action. I make this declaration based on personal knowledge and, if called upon to testify, would testify competently as stated herein.

2. I make this declaration pursuant to Local Civil Rule 55.1, requesting that the Clerk issue a certificate of default against Defendants Rana Technology Inc. (“Rana Technology”) and Mohammad Rana (“Rana”) pursuant to Fed. R. Civ. P. 55(a).

3. On July 3, 2018, DISH filed its Complaint against Defendants Rana Technology and Rana. (Dkt. 1.)

4. On July 16, 2018, Rana Technology and Rana were properly served with the Summons and DISH’s Complaint in this action by serving Rana at 70-62 Broadway, Jackson Heights, NY 11372. (Dkts. 11, 12.)

5. According to the Court's docket and my file, neither Rana Technology nor Rana have filed an answer or other responsive pleading. On August 1, 2018, I received a call from Madhureema Gupta who stated that she was retained to represent Rana Technology and requested a 20-day extension of time to file a response to DISH's complaint. Ms. Gupta did not know whether she would be representing Rana. Pursuant to Ms. Gupta's request, I granted Rana Technology a 20-day extension of time until August 27, 2018 to file a response to DISH's complaint. I have not received any communications from Ms. Gupta, Rana Technology, or Rana since August 1, 2018, and they have not requested any additional time past August 27, 2018 to file a response to DISH's complaint.

6. Attached as Exhibit 1 is a true and correct copy of the results of a business entity search for Rana Technology that I obtained on August 30, 2018 from https://appext20.dos.ny.gov/corp_public/CORPSEARCH.ENTITY_SEARCH_ENTRY. The report identifies Rana Technology as an active New York domestic business corporation and that Rana is the person to be served.

7. Rana Technology is a New York corporation and as such is not a minor, incompetent, or exempt under the Servicemembers' Civil Relief Act.

8. Attached as Exhibit 2 is a true and correct copy of the relevant page of a Westlaw PeopleMap report for Rana that I obtained from <https://1.next.westlaw.com> on August 30, 2018, which is redacted pursuant to Fed. R. Civ. P. 5.2. Based on this report, Rana was born in 1948, was an owner of a duplex, is the registered agent and principal for Rana Technology, and is or has been the principal or owner for Billu Barber, Corp., M M M Technology Inc, and Family Phone. (Ex 2.) The report establishes that Rana is not a minor. (*Id.*)

9. I am not aware of any facts that suggest Rana is incompetent. Rather, Rana's acts of being an owner of a duplex, the registered agent and principal for Rana Technology, the principal or owner for Billu Barber, Corp., M M M Technology Inc, and Family Phone, and Rana's copyright infringement as alleged in DISH's complaint, show that Rana is competent. (See Ex. 2; Dkt. 1 ¶¶ 9-10, 14-15, 19-20, 22-32, 34-43.)

10. The official United States Department of Defense Servicemembers Civil Relief Act website (the "SCRA website"), available at <https://scra.dmdc.osd.mil/scra/#/home>, has a search function that allows a visitor to perform a search to check the military status of an individual by entering the individual's first and last name and date of birth or social security number.

11. On August 30, 2018, I performed searches on the SCRA website by entering Rana's first and last name and date of birth obtained from the Westlaw PeopleMap report described in paragraph 8. Attached as Exhibit 3 is a true and correct copy of the August 30, 2018 status report for the military status of Rana obtained from the SCRA website, which is redacted pursuant to Fed. R. Civ. P. 5.2. The report indicates that Rana is not on active duty in the United States military or otherwise exempt under the Servicemembers' Civil Relief Act. (Ex. 3.)

12. I declare under penalty of perjury that the foregoing is true and correct. Executed on August 31, 2018.

/s/ Stephen M. Ferguson
Stephen M. Ferguson